

**CITY OF LOCKPORT**  
**CORPORATION PROCEEDINGS**

# Lockport Municipal Building

# Regular Meeting Official Record

November 17, 2010  
6:00 P.M.

Mayor Michael W. Tucker called the meeting to order.

## ROLL CALL

The following Common Council members answered the roll call:

Aldermen Kibler, Pasceri, Smith, McKenzie, Chapman, and Genewick.

## RECESS

Recess for public input.

**111710.1** **APPROVAL OF MINUTES**

On motion of Alderman Pasceri, seconded by Alderman Kibler, the minutes of the Regular Meeting of November 3, 2010 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

## FROM THE MAYOR

### Appointments:

11/16/10 Robin McCowen, 55 Waterman Street, Lockport, NY – appointed as a member of the Zoning Board of Appeals. Said term expires November 15, 2013. Received and filed.

**FROM THE CITY CLERK**

The Clerk submitted payrolls, bills for services and expenses, and reported that the Department Heads submitted reports of labor performed in their departments. Referred to the Finance Committee.

## MOTIONS & RESOLUTIONS

## 111710.2

By Alderman Kibler:

Resolved, that the Mayor and City Clerk be authorized to issue orders in favor of the claimants for payrolls, bills, and services to be paid on November 19, 2010.

Seconded by Alderman Pasceri and adopted. Ayes 6.

**111710.3**

By Alderman Kibler:

Resolved, that claims authorized for payment by the Director of Community Development, and subsequently paid from the Community Development Escrow Account, be and the same are hereby approved.

Seconded by Alderman McKenzie and adopted. Ayes 6.

**111710.4**

By Alderman Pasceri:

Resolved, that the Mayor, subject to Corporation Counsel approval be and the same is hereby authorized to execute an extension agreement with the City of Lockport's 457 Deferred Compensation's provider, Nationwide Retirement Solutions, for a period not to exceed two (2) years from this date.

Seconded by Alderman Genewick and adopted. Ayes 6.

**111710.5**

By Alderman Pasceri:

Whereas, William J. Evert served as the Director of Community Development for the City of Lockport for the past 35 years, and

Whereas, William J. Evert accepted the early retirement offered by the City and retired October 31, 2010, and

Whereas, the City is in the process of finalizing the budget for 2011 and as part of the budget process the City is reorganizing and consolidating various offices to cut costs, and

Whereas, the office of Community Development is under consideration part of the consolidation plan is not to fill the position of Director of Community Development recently vacated by Mr. Evert, and

Whereas, some of the work that was formerly done by the Director of Community Development is being done by other personnel, however, there are certain aspects of the office that require the skill and experience of an expert in the field, and

Whereas, Mr. Evert has agreed to serve as a consultant for limited matters that require his level of expertise during and until the consolidation plan is completed, and

Whereas, Mr. Evert has agreed to provide assistance to the City on a monthly basis for \$2,500 per month pursuant to a written consultant agreement which is incorporated herein by reference, now therefore be it

Resolved, that the Mayor be and the same is hereby authorized and directed to enter into a Consultation Agreement with William J. Evert to provide essential interim assistance to the Department of Community Development.

Seconded by Alderman Kibler and adopted. Ayes 5. Nay 1 – Ald. Chapman.

**111710.6**

By Alderman Chapman:

Resolved, that the City of Lockport 2011 Water Fund Budget containing appropriations for operating the City's Water Department, be and the same is hereby adopted as follows:

**CITY OF LOCKPORT, NEW YORK**  
**2011 WATER FUND BUDGET SUMMARY**

Appropriations:

Personal Services	\$ 1,294,123
Equipment	133,020
Contractual	880,650
Fringe Benefits	780,820
Debt Services	335,461
Special Items	113,500

Total Appropriations: \$ 3,537,574

Estimated Revenues: \$ 3,537,574

Seconded by Alderman Pasceri and adopted. Ayes 6.

**111710.7**

By Alderman Chapman:

Resolved, that the City of Lockport 2011 Sewer Fund Budget containing appropriations for operating the City's Wastewater Treatment and Compost Facility, be and the same is hereby adopted as follows:

**CITY OF LOCKPORT, NEW YORK**  
**2011 SEWER FUND BUDGET SUMMARY**

Appropriations:

Personal Services	\$ 1,330,739
Equipment	54,750
Contractual	1,067,675
Fringe Benefits	704,190
Debt Service	959,905
Special Items	109,000

Total Appropriations: \$ 4,226,259

Estimated Revenues: \$ 4,226,259

Seconded by Alderman Genewick and adopted. Ayes 6.

**111710.8**

By Alderman Pasceri:

Resolved, that the City tax budget for fiscal year 2011, containing appropriations for operating City departments, be and the same is hereby adopted as follows:

**CITY OF LOCKPORT, NEW YORK**  
**2011 GENERAL FUND BUDGET SUMMARY**

Budget Appropriations:

Personal Services	\$ 11,140,071
Equipment	69,990
Contractual	2,518,296
Fringe Benefits	6,989,000
Undistributed	682,143
Total Appropriations:	\$ 21,399,500

LESS: Estimated Revenues:	11,705,601
Estimated Fund Balance:	-

Amount to be raised through property taxation:	\$ 9,693,899
Assessed Valuation:	\$635,768,759

**REAL PROPERTY TAX RATE: \$ 15.247523 per \$1,000 ASSESSED VALUATION**

Seconded by Alderman McKenzie and adopted. Ayes 5. Nay 1 – Ald. Smith.

**111710.9**

By Alderman Pasceri:

Resolved, that the City of Lockport 2011 Budget containing appropriations for operating the City's Refuse & Recycling, be and the same is hereby adopted as follows:

**CITY OF LOCKPORT, NEW YORK**  
**2011 SPCEIAL REVENUE FUND – RECYCLING & REFUSE SUMMARY**

Appropriations:

Personal Services	\$ 463,700
Equipment	9,500
Contractual	556,800
Fringe Benefits	270,000
Total Appropriations:	\$ 1,300,000
Estimated Revenues:	\$ 1,300,000

Seconded by Alderman Kibler and adopted. Ayes 5. Nay 1 – Ald. Smith.

**111710.10**

By Alderman Pasceri:

Resolved, that Deputy Corporation Counsel Blackley be and the same is hereby authorized and directed to prepare a new Working Agreement and incorporate therein the terms and conditions provided for in the Memorandum of Agreement, and upon approval thereof by the CSEA, Local 1000, AFSCME, AFL-CIO, and signed by President, the Mayor is authorized and requested to sign same, after which the terms and conditions thereof be effected January 1, 2008, for a period of 5 years ending December 31, 2012.

Seconded by Alderman McKenzie and adopted. Ayes 6.

**111710.11**

By Alderman Smith:

Resolved, that the bid proposal of Mark Cerrone, Inc, Niagara Falls, NY, received on October 22, 2010, for the Demolition of Three Houses be accepted in the amount of \$41,253.00. Cost of same to be charged to account #004-0520-0059.

Seconded by Alderman Genewick and adopted. Ayes 6.

**111710.11A                    WITHDRAWN (Sale of 113 South Street)****111710.11B**

By Alderman Kibler:

Whereas, the City of Lockport holds title and possession of lot at 154 Gooding Street by In Rem/Tax Foreclosure proceeding, and

Whereas, 154 Gooding Street is now a vacant lot due to a previous City ordered demolition, and

Whereas, the Mayor and Real Property Management Committee received a letter from George W. Wiley III (Owner of adjacent property at 152 Gooding Street) and Pauline A. Hiam (Owner of adjacent property at 158 Gooding Street) to purchase said property for the combined sum of \$1,000 (\$500.00 each), and

Whereas, the City desires to return said property to the tax role in an improved condition. Now therefore be it

Resolved, that pursuant to Section C-61 of the City Charter the Mayor be and is hereby authorized to execute a quit claim deed to George W. Wiley III for the sum of \$500.00 and Pauline A. Hiam for the sum of \$500.00.

Seconded by Alderman McKenzie and adopted. Ayes 6.

**111710.12****ADJOURNMENT**

At 6:44 P.M. Alderman Pasceri moved the Common Council be adjourned until 6:00 P.M., Wednesday, December 1, 2010.

Seconded by Alderman Kibler and adopted. Ayes 6.

RICHARD P. MULLANEY  
City Clerk